

UNAPPROVED

Virginia Board of Long-Term Care Administrators CREDENTIALS COMMITTEE MEETING Meeting Minutes

- CALL TO ORDER:** The Credentials Committee convened on January 9, 2007, at 1:10 p.m. at the Department of Health Professions, 6603 W. Broad Street, Richmond, Virginia.
- APPROVAL OF MINUTES:** On a properly seconded motion by Ms. Fletcher, the Committee approved the minutes of the Credentials Committee meeting held February 14, 2006.
- FIRST CONFERENCE:** 1:10 p.m.
- PRESIDING:** Mary M. Smith, NHA, Chairperson
- MEMBERS PRESENT:** Kathleen R. Fletcher, RN
- STAFF PRESENT:** Lisa R. Hahn, Executive Director
Cheri Emma-Leigh, Operations Manager
Emily Field, Adjudication Specialist
- COUNSEL PRESENT:** Amy Marshean, Assistant Attorney General
- QUORUM:** Both members of the Committee were present.
- Shawn M. Ballance, NHA Applicant, Case No. 111432** Shawn M. Ballance, NHA Applicant, appeared without counsel, to discuss his application for licensure as a nursing home administrator, and allegations that he may not have met the requirement of 18 VAC 95-20-220(1) of the Regulations of the Board of Long-Term Care Administrators, as he does not have a baccalaureate or higher degree in nursing home administrator or a health care administration field and he has not completed a 320 hour internship in a licensed nursing home under the supervision of a preceptor as part of a degree program.
- The Committee received Mr. Ballance's statements and discussed his application with him.
- Closed Meeting:** On a properly seconded motion by Ms. Fletcher, the Committee voted to enter into a closed meeting pursuant to § 2.2-3711(A)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Shawn M. Ballance. Additionally, Ms. Fletcher moved that Board staff,

Virginia Board Of Long-Term Care Administrators
Credentials Committee
January 9, 2007

Lisa Hahn and Cheri Emma-Leigh, and Administrative Proceedings Division staff, Emily Field, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

On a properly seconded motion by Ms. Fletcher, the Committee certified that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee.

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

Decision:

Ms. Field reported that the Committee adopted the Findings of Fact and Conclusions of Law as outlined in the Notice of Informal Conference with the deletion of "Further, you have not completed a 320-hour internship in a licensed nursing home under the supervision of a preceptor as part of a degree program." Further, Ms. Field stated that it is the Committee's decision to deny Mr. Ballance's application. Ms. Fletcher moved to adopt the decision of the Committee. The motion was seconded and passed.

As provided by law, this decision shall become a Final Order thirty days after service of such on Mr. Ballance unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Ballance. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Committee shall be vacated.

SECOND CONFERENCE:

2:10 p.m.

PRESIDING:

Mary M. Smith, NHA, Chairperson

MEMBERS PRESENT:

Kathleen R. Fletcher, RN

Virginia Board Of Long-Term Care Administrators
Credentials Committee
January 9, 2007

STAFF PRESENT: Lisa R. Hahn, Executive Director
Cheri Emma-Leigh, Operations Manager
Charles R. Calton, Adjudication Specialist

COUNSEL PRESENT: Amy Marshean, Assistant Attorney General

QUORUM: Both members of the Committee were present.

**Carol I. Henning, NHA
Applicant,
Case No. 111067**

Carol I. Henning, NHA Applicant, appeared without counsel, to discuss her request for a change in preceptor and an extension of her administrator-in training ("AIT") program, and allegations that she may have:

1. failed to notify the Board within five (5) working days that her AIT program was terminated, failed to provide a written explanation of the causes of program termination to the Board with five (5) working days, failed to have her preceptor submit a written explanation of the reason the program was terminated within five (5) working days, and failed to have her preceptor submit the required monthly progress reports prior to the termination of the program, in violation of 18 VAC 95-20-430 of the Regulations of the Board of Long-Term Care Administrators; and
2. failed to notify the Board within five (5) working days that her registered preceptor was unable to serve, in violation of 18 VAC 95-20-440 of the Regulations of the Board of Long-Term Care Administrators.

The Committee received Ms. Henning's statements and discussed her requests and the evidence in the case with her.

Closed Meeting: On a properly seconded motion by Ms. Fletcher, the Committee voted to enter into a closed meeting pursuant to § 2.2-3711(A)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Carol I. Henning. Additionally, Ms. Fletcher moved that Board staff, Lisa Hahn, and Cheri Emma-Leigh, and Administrative

Virginia Board Of Long-Term Care Administrators
Credentials Committee
January 9, 2007

Proceedings Division staff, Charles Calton, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

On a properly seconded motion by Ms. Fletcher, the Committee certified that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee.

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

Decision:

Mr. Calton reported that the Committee adopted the Findings of Fact and Conclusions of Law as outlined in the Notice of Informal Conference. Further, Mr. Calton reported it is the Committee's decision to grant Ms. Henning's request for a change in preceptor upon the following terms:

1. Ms. Henning must complete 191.25 hours of training within six (6) months; and
2. submit signed monthly progress reports.

Ms. Fletcher moved to adopt the decision of the Committee. The motion was seconded and passed.

As provided by law, this decision shall become a Final Order thirty days after service of such on Ms. Henning unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Henning. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Committee shall be vacated.

THIRD CONFERENCE:

3:20 p.m.

PRESIDING:

Mary M. Smith, NHA, Chairperson

Virginia Board Of Long-Term Care Administrators
Credentials Committee
January 9, 2007

MEMBERS PRESENT: Kathleen R. Fletcher, RN

STAFF PRESENT: Lisa R. Hahn, Executive Director
Cheri Emma-Leigh, Operations Manager
Emily Field, Adjudication Specialist

COUNSEL PRESENT: Amy Marshean, Assistant Attorney General

QUORUM: Both members of the Committee were present.

Kathy Y. Bynum, NHA Applicant, Case No. 111433 Kathy Y. Bynum, NHA Applicant, appeared without counsel, to discuss her application for licensure as a nursing home administrator through a 320 hour administrator-in-training ("AIT") program, and allegations that she may not have met the requirement of 18 VAC 95-20-220(C)(1) of the Regulations of the Board of Long-Term Care Administrators, as she does not have a master's degree or a baccalaureate in healthcare administration or a comparable field.

The Committee received Ms. Bynum's statements and discussed her application with her.

Closed Meeting: On a properly seconded motion by Ms. Fletcher, the Committee voted to enter into a closed meeting pursuant to § 2.2-3711(A)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Kathy Y. Bynum. Additionally, Ms. Fletcher moved that Board staff, Lisa Hahn, Cheri Emma-Leigh, and Administrative Proceedings Division staff, Emily Field, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene: On a properly seconded motion by Ms. Fletcher, the Committee certified that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee.

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

Decision:

Ms. Field reported that the Committee adopted the Findings of Fact and Conclusions of Law as outlined in the Notice of Informal Conference with an additional Finding of Fact that with Ms. Bynum's Social Work degree, she qualifies for a 1500 hour AIT program. Further, Ms. Field stated that it is the Committee's decision to deny Ms. Bynum's application. Ms. Fletcher moved to adopt the decision of the Committee. The motion was seconded and passed.

As provided by law, this decision shall become a Final Order thirty days after service of such on Ms. Bynum unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Bynum. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Committee shall be vacated.

FOURTH CONFERENCE:

3:47 p.m.

PRESIDING:

Mary M. Smith, NHA, Chairperson

MEMBERS PRESENT:

Kathleen R. Fletcher, RN

STAFF PRESENT:

Lisa R. Hahn, Executive Director
Cheri Emma-Leigh, Operations Manager

QUORUM:

Both members of the Committee were present.

**Joshua L. Bryan, AIT
Applicant,
Case No. 112074**

Joshua L. Bryan, AIT Applicant, appeared without counsel, to discuss his request for Administrator-In-Training ("AIT") registration and allegations that he has not have met the requirement of 18 VAC 95-20-310(C)(1) of the Regulations of the Board of Long-Term Care Administrators, as he does not have a masters or baccalaureate degree in health care administration or a comparable field.

The Committee received Mr. Bryan's statements and discussed his application with him.

Closed Meeting:

On a properly seconded motion by Ms. Fletcher, the Committee voted to enter into a closed meeting pursuant to § 2.2-3711(A)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Joshua Lee Bryan. Additionally, Ms. Fletcher moved that Board staff, Lisa Hahn, Cheri Emma-Leigh, and Administrative Proceedings Division staff, Emily Field, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

On a properly seconded motion by Ms. Fletcher, the Committee certified that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee.

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

Decision:

Ms. Field reported that the Committee adopted the Findings of Fact and Conclusions of Law as outlined in the Notice of Informal Conference with an additional Finding of Fact that Mr. Bryan qualifies for a 1500 hour AIT program. Further, Ms. Field stated that it is the Committee's decision to deny Mr. Bryan's application. Ms. Fletcher moved to adopt the decision of the Committee. The motion was seconded and passed.

As provided by law, this decision shall become a Final Order thirty days after service of such on Mr. Bryan unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Bryan. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this

Virginia Board Of Long-Term Care Administrators
Credentials Committee
January 9, 2007

Committee shall be vacated.

ADJOURNMENT:

With all business concluded, the committee adjourned at 4:05 p.m.

Mary M. Smith, NHA, Chairperson

Lisa R. Hahn, Executive Director

Date

Date